

REMARKS/ARGUMENTS

Applicants have received the Office Action dated October 27, 2008, in which the Examiner: 1) rejected claims 1-24 under 35 U.S.C. § 101; 2) maintained the double patenting rejection of claims 1-24 from a previous Office Action; 3) rejected claims 1-8, 10-11, 13-17, 19-20, 22-33 and 35-38 under 35 U.S.C. § 103(a) as obvious over Szamrej (U.S. Pat. No. 5,990,852) in view of Frederick (U.S. Pat. No. 5,485,212); and 4) rejected claims 12 and 21 as being unpatentable over Szamrej in view of Frederick and Fujimoto (U.S. Pat. No. 5,473,348). With this Response, Applicants have amended claims 1, 7, 13, 16, 22, 26,¹ and 32.

I. REJECTIONS UNDER 35 U.S.C. § 101

Independent claims 1, 13, and 22 have been amended to specify that a processor performs the various actions and that data is read from a buffer. The method claims thus recite a method that is tied to a particular machine and thus comply with § 101.

II. DOUBLE PATENTING REJECTION

The independent claims have been amended as shown above. These amendments may obviate the double patenting rejection. If not, Applicants will consider filing a Terminal Disclaimer once all other issues are resolved.

III. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claim 1 requires “periodically reading the contents of each one of the blocks over a number of passes, wherein each pass reads a different fraction of all the blocks.” Claim 1 further requires the computation of a unique value for the blocks that are read in each pass. Per claim 1, not all blocks are read with each pass and thus a unique value is not computed for each block in each pass. Subsequent passes read the other blocks and compute unique values of those blocks until eventually all blocks have been read and have had unique values computed.

¹ The amendment to claim 26 was simply to correct an inadvertent dependency link error.

The Examiner concluded that Szarmrej fails to each “reading the contents of each one of the blocks over a number of passes, wherein each pass reads a different fraction of all the blocks.” Office Action p. 3 (emphasis by Examiner). Instead, the Examiner turned to Frederick. Applicants’ respectfully disagree with the Examiner’s use of Frederick.

Frederick teaches dividing an image into an array of blocks with multiple rows and columns of pixels in each block. See Frederick col. 3, lines 41-50. Frederick further teaches that “the average of the numbers stored at the pixel locations of a row of each block is computed.” Col. 3, lines 62-64. See also col. 3, line 65 through col. 4, line 15. Thus, Frederick teaches that, with each pass through the image, a value is computed for each every block of data. Claim 1 specifically requires that “each pass reads a different fraction of all of the blocks.” Frederick simply does not teach or even suggest this limitation.

For at least this reason, claim 1 and all claims dependent thereon are allowable over Szarmrej in view of Frederick. The same or similar argument applies to the remaining independent claims and their dependent claims as well.

Various of the dependent claims are patentable for additional reasons. For example, claim 5 requires reading configuration information of a video graphics controller, determining if the configuration information has changed, and transmitting the configuration changes, if any. For these limitations, the Examiner pointed to col. 4, lines 7-11 of Szarmrej. These lines specify that

The number of blocks used will depend upon screen resolution, processing power and memory and bandwidth availability. For example, there may be 32 blocks horizontally and 24 blocks vertically for a 1024.times.768 pixel display screen.

The Examiner noted that the reference to “screen resolution” is a configuration parameter for a video controller. While these lines do refer to screen resolution, they do not at all teach reading configuration information of a video graphics controller to detect changes and transmitting those changes. For this additional reason, claim 5 is allowable. This same reasoning applies to at least dependent claims 14 and 30.

Dependent claim 7 has been amended to require determining if a position of a pointing device has changed and, if such a change in pointing device position has occurred, transmitting such change. None of the art of record teaches or even suggests this combination of limitations. This same reasoning applies to at least dependent claims 16 and 32.

Applicants note that, with regard to claim 7 and other of the dependent claims, the Examiner apparently relied on Callaway (a reference used in a previous Office Action). The stated ground of rejection of claim 7, however, is does not include Callaway. See p. 3 of Office Action. Accordingly, the record is unclear as to whether the ground of rejection for claim 7 and various other dependent claims. Clarification is respectfully requested to the extent the Examiner continues to reject such claims.

CONCLUSION

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including

Appl. No. 10/611,403
Amdt. dated January 27, 2009
Reply to Office Action of October 27, 2008

fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

/Jonathan M. Harris/

Jonathan M. Harris
PTO Reg. No. 44,144
CONLEY ROSE, P.C.
(713) 238-8000 (Phone)
(713) 238-8008 (Fax)
ATTORNEY FOR APPLICANTS

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
Legal Dept., M/S 35
P.O. Box 272400
Fort Collins, CO 80527-2400